

# State of South Dakota

## EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

942L0482

## HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **SB 97** - 02/14/2005

Introduced by: Senator Schoenbeck and Representative Peters

1 FOR AN ACT ENTITLED, An Act to establish a maximum value for certain protected  
2 homesteads.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 43-31-1 be amended to read as follows:

5 43-31-1. The homestead of every family, resident in this state, as hereinafter defined, so long  
6 as it continues to possess the character of a homestead is exempt from judicial sale, from  
7 judgment lien, and from all mesne or final process from any court, to the extent and as provided  
8 ~~in this code, except that~~ by statute. However, a creditor or lien holder of a mobile home  
9 classified as a homestead under § 43-31-2 prior to January 1, 1973 ~~shall,~~ may not be cut off ~~or~~  
10 and is not subject to a homestead exemption. In addition, ~~the~~ a homestead with a value of less  
11 than one hundred seventy thousand dollars of a person seventy years of age or older, and the  
12 unmarried surviving spouse of such person, is exempt from sale for taxes for so long as it  
13 continues to possess the character of a homestead, ~~is exempt from sale for taxes.~~

